

REMARKS

The rejections of independent claims 1, 22 and 23 under 35 USC 102 for anticipation by the cited Wolfensberger patent are traversed, because

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. MPEP 2131 (citation omitted).

In this case, the rejections begin, "Wolfensberger (figure 6) shows an assembly of a coupling profile, wall elements (41, 42) ...," but neither is the case.

In the Wolfensberger patent, reference characters 41, 42 are shown in Fig. 3, not 6, and are described at column 4, lines 71-72, as profile rails, not wall elements.

The coupling profile asserted above for the Wolfensberger patent is later identified in the Action as "coupling profile (51)." However, in the Wolfensberger patent 51 is described at column 5, line 29, as an inner rail element, not a coupling element. As shown in Fig. 6, moreover, rail 51 does not couple anything and is incapable of coupling anything.

In Fig. 6 of the Wolfensberger patent, leg ends 55', 56' of outer rail 50 engage inner rail element 51 for receiving plate 74 between rails 50, 51. Therefore, neither rail 50 nor rail 51 couples any wall element by itself to any other wall element as with the claimed coupling element, "wherein coupling of the wall elements to each other for the wall-element assembly consists essentially of the coupling profile," according to claim 1, for example.

In the claims, the coupling member couples wall elements. In Fig. 6 of the Wolfensberger patent, it does not.

If the Action intended to refer to Figs. 1 to 5 of the Wolfensberger patent, these show a single coupling and cover member, e.g., body member 5 in Fig. 1. As a result, they neither show nor suggest:

(A) "... coupling of the wall elements to each other for the wall-element assembly consists essentially of the coupling profile, and

the cover profile is coupled with the coupling profile for the covering" as in claim 1;

(B) "...a coupling profile for coupling the wall elements to each other without glue or fastener for the wall-element assembly; and

a cover profile for coupling to and covering the coupling profile ..." as in claim 22;

(C) "...the improvements in which:

the coupling profile (30) connects the pair of the wall elements (10a, 10b); and

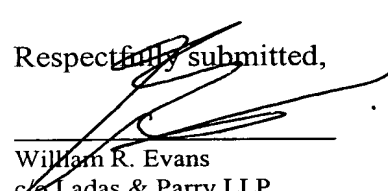
the cover profile is coupled with the coupling profile,

characterized in that the wall elements meet each other at an inner side of the coupling profile (30) and in that the cover profile (40) is located at an opposite, outer side of the coupling profile (30)" as in claim 23.

In the arrangement according to figure 6 of Wolfensberger, the wall elements 74 are clamped by means of tow profiles, to wit profile 50 and profile 51. Without profile 50 being connected to profile 51, there will be no question of the wall element(s) 74 being coupled to profile 51. Consequently, the arrangement according to figure 6 of Wolfensberger, two profiles are required for actual coupling of the wall elements to one another (in case door 75 is substituted by another wall element 74). The fact that profile 50 might also perform a function in covering the coupling area is not then of importance.

More careful reconsideration and allowance are, therefore, requested.

Respectfully submitted,



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